

REMARKS

Reconsideration of this application is requested.

Claims 6, 7, 9, 21 and 26 have been amended to improve their form. Thus, a spelling error has been corrected in claims 6, 21 and 26 and preferences have been deleted from claims 7 and 9 without any intention of abandoning the deleted subject matter.

New claims 35 and 36 are drawn to preferences deleted from claim 9, it being noted that claim 8 effectively covers the preferred feature deleted from claim 7. The other new claim (claim 37) is drawn to a preferred combination of features based on Example 9.

In addition to the above-noted changes, the dependence of claim 10 has been changed and process claim 13 has been made dependent on claim 1.

The applicants respectfully traverse the Examiner's restriction requirement on the basis of the comments set out below. Nevertheless, in order to be fully responsive, the applicants elect the Group I claims. This Group includes claims 1-12 and new claims 35-37. The Group II claims are claims 13-32. It is believed that claims 33 and 34, which the Examiner has not mentioned, should also be included in Group II.

The applicants respectfully request the Examiner to reconsider the requirement for restriction between the Group I and Group II claims, particularly in view of the foregoing amendment of process claim 13.

More specifically, the applicants submit that there is unity of invention between the Group I and Group II claims on the basis that claims 1 to 12 (and claims 34-37) are directed towards a microencapsulated catalyst-ligand system and claims 13 to 32 (and claim 33) are drawn to a process for the preparation of these microencapsulated catalyst-ligand systems.

The common inventive concept underlying both groups of claims resides in the fact that it is a catalyst and ligand that are microencapsulated. The prior art describes microencapsulated catalysts but not microencapsulated catalyst-ligand systems. Accordingly, the common feature between the applicants' two groups of claims is novel and inventive. The microencapsulated system *per se* and its process for manufacture are thus related by a common inventive underlying concept and it is, therefore, appropriate to consider the two sets of claims together. Features which are relevant to the nature of the microencapsulated system are also relevant to the nature of its preparation. The restriction requirement is therefore not thought to be proper in the present circumstances.

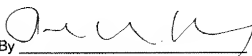
In connection with the foregoing, it is noted that the Examiner bases the restriction requirement, in large part, on the ground that WO 03/006151 purportedly discloses the technical features (catalyst and ligand encapsulated within a polymeric shell) recited in claim 1. However, with all respect, it is submitted that the WO disclosure does not show all of the features of claim 1 (or, for that matter, the features of applicants' process claim 13). One important difference between the WO reference and the present invention resides in the fact that the microencapsulated catalysts of the WO disclosure are simply encapsulated within the polymer shell on their own. In the present case, the encapsulation is applied to the catalyst-ligand system and the microencapsulation process takes place in the presence of both catalyst and ligand. The result is that the applicants' encapsulated material includes both catalyst and ligand. Such a system is not disclosed or suggested in WO 2003/006151.

In the circumstances, the applicants respectfully submit that the restriction requirement should be withdrawn with all the claims (claims 1-37) examined herein. In the event the Examiner should maintain the restriction requirement, the applicants will request rejoinder of the process claims for consideration with the elected composition claims upon allowance of the latter.

Favorable reconsideration is respectfully requested.

Respectfully submitted,

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Date: June 5, 2009

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